

Minutes of a Town of Riverhead board meeting held by the town board of the Town of Riverhead at Town Hall, Howell Avenue, Riverhead, New York on Tuesday, April 17, 2012 at 7:00 p.m.

**PRESENT:**

Sean Walter,	Supervisor
John Dunleavy	Councilman
James Wooten,	Councilman
George Gabrielsen,	Councilman
Jodi Giglio,	Councilwoman

**ALSO PRESENT:**

Diane M. Wilhelm,	Town Clerk
Robert Kozakiewicz,	Town Attorney

Supervisor Walter: "You don't have to come all the way up, just partially."

(At this time, the Pledge of Allegiance was recited)

Supervisor Walter: "Bishop Wcela, do you- would you be so kind as to give us an invocation?"

Bishop Wcela: "Let us pray. Father from whose truth and goodness all of good government flows, bless our elected representatives. Give them patience and an open mind in their deliberations and the wisdom to make decisions for the benefit of those they serve.

Guide us all to provide the support and understanding to accomplish that which they were elected.

Bless all those who serve our community as employees or volunteers. Help us all to know the true common good and work toward it.

Amen."



Supervisor Walter: "Bishop Wcela, thank you very much. Bishop Wcela is the retired vicar from the eastern vicarate of the Diocese of Rockville Center but I know it as St. Isidore's. Do you live- St. John's. I don't know why- my kids go to St. Isidore's so I guess I see you around there somewhere- sometimes."

All right. We've got a presentation to make but I don't- we'll wait, we're not going to do anything now.

John, why don't we do the minutes."

Councilman Dunleavy: "I want to make a motion that we approve the town board minutes of April 3, 2012. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, abstain; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The minutes are approved."

#### **REPORTS:**

Tax Receiver	total tax collection to date April 4, 2012 - \$67,816,639.58
	total tax collection to date April 11, 2012 - \$68,032,830.46
	Utility collections monthly report March 2012 - \$173,099.64

#### **APPLICATIONS (pending Town Board approval)**

Peconic Bay Medical Center	annual east end garden festival May 10 through 13, 2012
Hallockville Museum Farm	country style fair - May 19 & 20 2012
Wading River/Shoreham Chamber of Commerce	annual duck pond day May 20, 2012
Polish Town Civic	grease band fundraiser - June 30,



2012

Riverhead Elks Lodge

lawn mower event and kids bicycle race - 4 separate events listed below -

1. May 6, 2012
2. June 3, 2012
3. September 3, 2012
4. October 14, 2012

Diane Wilhelm: "And there was no correspondence. And that's it."

Supervisor Walter: "Okay. Any other town board reports?"

Councilman Dunleavy: "I just want to thank all the fire departments that were involved in the wildfire in Ridge and Manorville. They did a wonderful job stopping that fire and saving a lot of residences. So thank you very much."

And I just- is the Kiwanis Club here? Key Club. Welcome. The Kiwanis Key Club is here tonight. Welcome."

Councilman Wooten: "I just have a couple real quick ones."

The MTAS, the animal shelter is a non-profit citizen run organization in Riverhead and they're having a dog wash at Walgreens this Saturday."

Supervisor Walter: "A what?"

Councilman Wooten: "Dog wash."

Councilwoman Giglio: "A dog wash. Twenty dollars."

Councilman Wooten: "A mobile dog grooming coming to- and for \$20.00 donation- "

Supervisor Walter: "I thought maybe it's just a bunch of kids with scrub brushes."

Councilman Wooten: "I don't know. I'm taking my dog for the first time. It's dog grooming. It's \$20.00."



And also the Riverhead area of Girl Scouts in Riverhead are also going to be at Waldbaum's, King Kullen, Wal-Mart and Pecto and they will be collecting goods such as towels, blankets and food for the shelter in Riverhead. And that's their community service this weekend.

And one other thing, the Riverhead girls varsity basketball were the Long Island champions this year. We gave them a proclamation at the last town board meeting. They're looking for fundraising to help pay for championship rings. They'd like to get championship rings for the whole team so they're looking for donations to go for that. And I'll post this outside on the board if anybody wants to make a donation to the- it's the Riverhead girls booster club."

Councilman Dunleavy: "How much does each ring cost?"

Councilman Wooten: "The total cost is \$3,000 for all the rings so I guess give whatever you can give (inaudible)."

Councilwoman Giglio: "And I just wanted to thank all of you people that showed up on Saturday to volunteer to clean up the beaches in Riverhead on the north shore. So they did a great job. They got a lot of lumber with nails sticking out and mufflers and tires and all sorts of stuff that they picked up off the beach.

So thank you everybody that volunteered to do that."

Councilman Dunleavy: "Just one more thing. And while we're talking about the dog shelter, Riverhead dog shelter is looking for donations. If anybody has any donations of food or for next winter, blankets and stuff that the dogs can use to sleep on. You get a tax statement for giving this stuff so you can use it for your taxes next year.

So if anybody has anything and they'd like to donate it, Youngs Avenue is our dog shelter thing. Go up there and donate. Thank you."

Councilman Gabrielsen: "I just would like to announce that the ballfields at EPCAL, the parking lot is moving right along. It should be done in two or three weeks so we're right on target for getting that open."



Councilman Dunleavy: "The ballfields are done."

Councilman Gabrielsen: "We open tomorrow for the ballfields but the parking lot is moving right along. So it's encouraging."

Supervisor Walter: "All right. I've got a couple things and we're going to get started."

I want to thank the fire departments of Manorville, Riverhead, Jamesport and all the fire departments of the west end. We had another fire, thankfully it's out already. But these guys have gone above and beyond the call of duty.

One of the things— we are at record pumping rates now, Gary Pendzick, for April. I think last night Gary said it was a little over ten million gallons of water for the day. That is unheard of in April, not to worry, we have plenty of water.

But people have to be mindful about putting their cigarette butts out the window and any kind of open flames at this point. This is serious stuff. I'm hoping— I think we're all hoping and praying that we have a nice downpour this weekend but a lot of people lost a lot of property in those fires last week.

So if the residents just be mindful of what you're doing when you're in the woods or near the woods or driving in the pine barrens because they're going up like a tinderbox at this point.

All right, we've got a couple things and first we're going to have people come up. We've got a proclamation for Earth Day and in celebration of Earth Day on Saturday, 4/21 at 9:00 a.m. to noon, Councilman George Bartunek usually leads this. I know Councilman Bartunek is in the back.

Everybody is requested— we're requesting everybody to come meet at Riverhead town hall. We will give trash bags, gloves, safety vests will be loaned and they'll be refreshments at noon.

One of the places— I don't know, George, if you've got different areas that you're going to be looking at but one of the places that I know is sort of a mess is Wading River/Manor Road at this point. A lot of litter on it and there's actually some trash as a result of I guess being pulled out of the woods.



So if you know of anybody who wants to concentrate in Manorville, Wading River/Manor Road in Riverhead, even in Brookhaven it's okay. That is a road that really needs a little bit of help.

So if we can have- do we have everybody from the Key Club and, Jill, where are you- Jill, and I know Louise is in the back. If the board would come on down to the front we are going to give out some proclamations.

All right. I'm not going to necessarily do this- I don't know if everybody is here.

Okay. It is on. Is it on? That's on. Let's do this. Councilman Bartunek, I want you to come up first and we're giving a proclamation to Councilman Bartunek. He's gone again above and beyond the call of duty with environmental service to this town.

I know one of the reasons several years ago he ran for town board was because of environmental concerns. And he's done- he did a fantastic job on the board and he continues to do a fantastic job and he really is- it is truly a testament to what George believes and what we wanted to do is issue- George, you may have received some of these before, I don't know, most of the time you gave them out.

But a proclamation acknowledging the volunteer-ism that you've done for the town of Riverhead for protection and safeguarding the environment. Your dedication to earth day and bringing volunteers together to do things for this town.

So today- usually I ask the board to do it, but since we didn't do that- John, you want to tell them what day this is?"

Councilman Dunleavy: "Today is George Bartunek Day in the town of Riverhead."

(Some inaudible comments)

George Bartunek: "Thank you. Thank you."

Supervisor Walter: "We've got the Key Club because I see the shirts and then- well, there's two clubs here. I see, oh, the Key Club, oh, the litter free."



Okay. So let's do this. We've got certificates for people for two different things. Jill (inaudible) class, Jill, why don't you come up. Okay, so who are you? Tim Page (phonetic)."

Tim Page: "And Jill also. We're both co-teachers in this program."

Supervisor Walter: "All right. Well, I'm going to read this and I'm going to let you explain what happened. There's 13 students who created a recycling program where they cut a hole in trash cans so they could recycle bottles and they redeemed the bottles to purchase more supplies.

So that's what I have. So tell us what you did."

Tim Page: "Well, that's exactly what we did. We gathered some trash barrels and set them around the high school and we promoted through posters and through various things to get our students and teachers and everyone who enters the building to deposit all their plastic bottles and cans into these.

We were seeing that a lot of them were going out to the garbage just to the general waste so we said let's separate them. Then we began to say, you know what? A lot of these are deposits, a nickel to a plastic bottle. So we began collecting them, separating them and taking them-- we do a weekly trip now to the local store to Stop n Shop where we use their machines, get the receipts from them, and now we've been able to buy more barrels, expand the program.

We-- the Key Club gave us these shirts so we're identified throughout the building, it's become much more aware.

We're up to right now about 5,000 bottles we've retrieved from the trash and we're hoping to break 6,000 by the end of the year. And it's just been a lot of fun and I have a couple of the students here that will help us and go through here and that's what we do.

And we enjoy it and it helps beautify the school and we're hoping to expand it."

Councilwoman Giglio: "Very good."

Supervisor Walter: "All right. Jim's got the proclamations. We've got some that are here."



Tim Page: "Some that are here, some that are not. Instead of announcing everyone, we'll just take them and we'll talk to the kids and- "

Supervisor Walter: "Don't give Louise Wilkinson's out yet. Okay. So, Louise, why don't you come up."

Tim Page: "Thank you."

Supervisor Walter: "The 12<sup>th</sup> grade- Louise come on up. That's why they give me a script here, so I stick to a script. There's a lot of stuff going on. Let's get everybody up here. Louise, hold on- the 12<sup>th</sup> grade Riverhead High School Key Club students developed environmental and recycling programs for four of the third grade classes within the Riverhead Central School District to teach them how to recycle."

Since this is truly recycling day here and, Louise, we've given you some proclamations to give- certificates of appreciation to give the kids. Do you want to say a few words before we have all the kids up for a picture?"

Louise Wilkinson: "Sure. Mostly I'd like to have my kids come up and speak, Sam, Melissa."

Supervisor Walter: "Yeah, come on up."

Louise Wilkinson: "This is Sam (inaudible). She's president, Melissa is the vice-president."

Supervisor Walter: "Do you want to turn around? You have to just talk right into it."

Unidentified: "So, every year we've been going to elementary schools that are in Riverhead School District and we go and teach these third graders about the importance of going green and we always- all our schools have smart boards now."

We have an activity we do on smart board and we have kids guess what certain items, how long they take to break down and then we play a true or false game. And at the end of the day they learn a lot and they always have fun and they always want to go home and be like Mom, Day, I want to recycle and all that fun stuff to help our environment.



And basically we do that and we have one more school to go to this year, to Phillips Avenue and that's a pretty big third grade class (inaudible).

So we also want to thank Mr. Wooten for helping transport us to these- "

Supervisor Walter: "He's the resident bus driver."

(Unidentified): "Yeah. We have fun on the buses and everything.

So I just want to say thank you also. It's really great to go out and educate the use and inform them on what's going on in our environment. It's very important from a young age to set that up and set an example, so thank you, we appreciate it.

And thank you again, Mr. Bartunek."

Supervisor Walter: "All right. Mr. Page, why don't you bring up your class and we have one more thing for the class and this is an- come up guys, this is an earth day proclamation and we're going to see if we can find a frame. Sara, did we find a frame that we can put- we didn't have any extra frames but we'd like to put this in a frame so we'll give it to you but if you give it back to us right away, we'll put it in a frame.

But this is an earth day proclamation for you kids. Turn around, you are going to be on channel 22. You'll be famous like us.

Anyway the first earth day was celebrated on April 22, 1970 so it's been around a long time and the town of Riverhead and the entire town council want to acknowledge April 22, 2012 as earth day in the town of Riverhead. And we've got this proclamation that we're going to hand to you and I don't know if any of your other students or any other Key Club members want to come up, come on up, let's all come up here."

Jim Page: "I think we should all be up here.

They're building a program here so when the kids come to us, they will be educated, they will understand recycling and that's what we're really working towards."



Supervisor Walter: "Good. So do any other students want to say anything?"

Councilman Dunleavy: "These students are going to help us. The last time we got our report card, we got a D in recycling. So maybe with these students, we'll move up from a D to a B and help us out. Thank you."

Unidentified: "I just want to say thank you to everyone and we're really happy to be going and teaching the younger children how to go green. And, yes, thank you."

Supervisor Walter: "Very good. All right, thank you very much. Can we shake your hands? What's your name? Mattie, Anthony, Sam, Emily, and Melissa. Thank you folks for coming out. I know it's a beautiful day and you might not want to spend it with the town board, but thank you."

Councilman Dunleavy: "Thank you. And, again, thank you."

Supervisor Walter: "Good thing they gave me the script. All right, folks, thank you very much."

All right. Well, thank you folks for coming out.

We've got two public hearings. The retirement community public hearing is not going to be held. We're going to open it and then we're going to close it.

There's still some internal inconsistencies that we missed in the code as it's been rewritten so many times. We picked up on a couple inconsistencies so we're not going to hear it and we'll probably pull the resolution today or table the resolution but we're trying to get this right and apparently- we're not there yet."

Public hearing opened: 7:22 p.m.

Supervisor Walter: "All right. So we have a public hearing. Michael, do you want to say anything about this. This is 7:05, we're going to open this up. It's a very quick thing. Do you know what this is? We'll open the hearing, you can tell us what this is and if anybody wants to be heard that would be fine."

7:05 having arrived, this is a consideration of a local law to



amend Chapter 88 entitled sewers of the Riverhead town code, the filing of an irrevocable letter of credit insurance.

Mike, can you just give us two minutes about it?"

Michael Reichel: "It's just really a housekeeping item. The code was changed a couple years back when we were accepting letters of credit as a means of security as approved drainlayers for the sewer district.

The code after that was changed to allow other means of security but it wasn't changed in the sewer district code. It was changed in the water district code and the building department but it left out sewer.

So this just means-- like I said, it's just a housekeeping item and to get a letter of credit, it costs a certain amount of money and there's a lot of drainlayers that don't want to do the work because of the expense. So if we were able to allow them to provide a passbook, cash, other means of security that's acceptable to the town attorney's office, then that would be great."

Supervisor Walter: "Okay, good. Does anybody else wish to be heard on this?"

Councilman Dunleavy: "Just one question. Or a bond, right? They get a bond."

Michael Reichel: "We don't take bonds anymore."

Councilman Dunleavy: "You don't take-- "

Michael Reichel: "No."

Councilman Dunleavy: "So that will exclude it from here."

Michael Reichel: "We only take letters of credit right now. But this allows us to take other means of security other than letters of credit."

Councilman Dunleavy: "Or other equivalent security."

Michael Reichel: "Right."



Councilman Dunleavy: "So you're not considered a bond improvement security?"

Michael Reichel: "No. Because they're too hard to attach themselves to. We take, you know, passbook, checks."

Supervisor Walter: "We leave it to the town attorney's office."

Robert Kozakiewicz: "That's their comment."

Supervisor Walter: "All right. Does anybody else wish to be heard? Not seeing anybody, we'll close the hearing. We'll leave it open for written comment until April 27<sup>th</sup>."

Public hearing closed: 7:25 p.m.

Left open for written comment for 10  
days to April 27, 2012

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Public hearing opened: 7:25 p.m.

Supervisor Walter: "The second one we're going to open and close the- 7:15 having arrived, this is the consideration of a local law to amend Chapter 108 entitled zoning of the town code, Residence RC retirement community.

We're going to open that but as I said there were internal inconsistencies in the draft we went to hearing on and we're not there yet so we're going to close the hearing and we will- stay tuned folks."

Public hearing closed: 7:25 p.m.

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Supervisor Walter: "All right. We'll take comments on resolutions. Does anyone wish to speak on any of the resolutions? Sal Mastropaolo, not being here, I think we can move to the resolutions.

All right, Diane, you're ready?"



Diane Wilhelm: "(inaudible) CDA."

Councilman Dunleavy: "I'd like to close the town board meeting and make a motion to open the CDA meeting. So moved."

Supervisor Walter: "Chris, CDA."

Councilman Wooten: "Seconded to open up the CDA meeting."

Supervisor Walter: "Moved and seconded. Vote please to open the CDA meeting."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes."

Meeting adjourned

Meeting reopened

Supervisor Walter: "All right. Diane."

Resolution #274

Councilman Wooten: "274 is 2009 bicycle pedestrian transportation path capital project budget adjustment. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #275

Councilman Gabrielsen: "Calverton sewer district budget adjustment. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes;



Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #276

Councilwoman Giglio: "Water district Route 105 transmission budget adjustment. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #277

Councilman Dunleavy: "Appoints a part time homemaker to the seniors program. So moved."

Councilman Wooten: "I'll second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #278

Councilman Wooten: "Awards bid for hardware items. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #279

Councilman Gabrielsen: "Awards bid for lubricant items. So moved."

Councilwoman Giglio: "And seconded."



Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #280

Councilwoman Giglio: "Extends bid contract for diesel fuel with Quogue Sinclair, Inc. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #281

Councilman Dunleavy: "Sets the fees for usage of recreation and other town facilities. So moved."

Councilman Wooten: "Seconded."

Supervisor Walter: "Are these the same as last year?"

Councilman Dunleavy: "Yes. It hasn't changed."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "Seeing that they're the same fees that we charged last year, yes."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #282

Councilman Wooten: "Appoints a call in guard - Level II to the recreation department. So moved."



Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #283

Councilman Gabrielsen: "Establishes date and time of 3<sup>rd</sup> annual Great Riverhead Cardboard Boat Race. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen."

Councilman Gabrielsen: "It's been announced that it's at twelve noon on June 24<sup>th</sup> and the boat race will start at twelve. It's a supervisors race, the coveted trophy that Riverhead now holds."

Supervisor Walter: "You guys have got to get like a real trophy like a Stanley Cup that we can transfer back and forth."

Councilman Gabrielsen: "We're putting the date from the last two on it so it's going to be something that moves around the town. (Inaudible)."

Supervisor Walter: "Did Gabrielsen vote or- did I vote the last one or did you vote?"

Councilman Gabrielsen: "And also for the rest of the board, this may interest them. We're going to have the hula hoop contest on the grandstand."

Councilman Dunleavy: "I'm going to be a judge."

Councilman Gabrielsen: "We have 12 and under and 13 and over."

Diane Wilhelm: "Is that a yes?"



Councilman Gabrielsen: "Yes."

Supervisor Walter: "Okay."

The Vote (Cont'd.): "Wooten."

Councilman Wooten: "I'll support this only if the supervisor race goes last because (inaudible). Yes."

The Vote (Cont'd.): "Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #284

Councilwoman Giglio: "Approves extension of performance bond of Riverhead Sound Associates, LLC a/k/a Aquebogue Golf Resorts road and drainage improvement. So moved."

Councilman Wooten: "I'll second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #285

Councilman Dunleavy: "Authorize the extension- authorizes the extension of contract with Watercraft Irrigation Inc. for irrigation and maintenance services for the town of Riverhead. So moved."

Councilman Wooten: "Seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #286

Councilman Wooten: "Authorizes the supervisor to execute an agreement with National Association of Drug Free Employees (NADE). So moved."



Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #287

Councilman Gabrielsen: "Awards bid for snack vendors. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #288

Councilwoman Giglio: "432 East Avenue, Riverhead, NY Chapter 96 budget adoption. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen."

Councilman Gabrielsen: "Here we go, it's that season again with the grass, right?"

Councilman Wooten: "No. It's more than that."

Councilman Dunleavy: "It's the one that caught fire. There was just an accident there."

Councilman Gabrielsen: "Okay, so they've got to clean-- "

Councilman Dunleavy: "It has to be cleaned up."

Councilman Gabrielsen: "Yes."



The Vote (Cont'd.): "Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #289

Councilman Dunleavy: "Authorizes the fire marshal to facilitate the removal of all rubbish, weeds, grass and/or rank vegetation in excess of 10 inches upon the real property known as 432 East Avenue, Riverhead, New York 11901 a/k/a SCTM #0600-126.00-04-048.00 pursuant to Riverhead town code Chapter 96. So moved."

Councilman Wooten: "Seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #290

Councilman Wooten: "This approves the Chapter 90 application of Martha Clara Vineyards LLC, overflow tent - May 24, 2012 through July 18, 2012. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten."

Councilman Wooten: "We've been saying this for years about (inaudible)."

Supervisor Walter: "Yes or no?"

Councilman Wooten: "I guess I've got to vote yes."

The Vote (Cont'd.): "Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #291

Councilman Gabrielsen: "Approves Chapter 90 application of Peconic Bay Medical Center 17<sup>th</sup> Annual East End Garden Festival -



May 10 through May 13, 2012. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "Yes. This is Mother's Day weekend so everybody should go over there and buy their plants and support the Peconic Bay Medical Center.

I vote yes."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution 292

Councilwoman Giglio: "Authorizes town clerk to publish and post public notice to consider a local law to amend Chapter 99 entitled Taxicabs and Vehicles for hire of the Riverhead town code. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution 293

Councilman Dunleavy: "This is 293 is the public notice to amend zoning for Article XXIII Residence RC district.

I move we table this."

Councilman Wooten: "Second to table."

Supervisor Walter: "Moved and seconded to table."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes;



Dunleavy, yes; Walter, yes. The resolution has been tabled."

Resolution #294

Councilman Wooten: "This authorizes the town clerk to publish and post public notice to consider a local law to add Chapter 67 entitled Filming of the Riverhead town code."

Robert Kozakiewicz: "There will be a change in the notice, the first page. It should be April 26, 2012 issue. Actually it's the resolution itself. It says-- that shows how long this one has been sitting around. So March 1, 2012, should be April.

I've been dealing with them on a per diem basis as far as a contract."

Supervisor Walter: "Where did we get this code? This is somebody else's?"

Robert Kozakiewicz: "East Hampton, Shelter Island have similar codes."

Councilman Gabrielsen: "Is this for municipal properties only?"

(Inaudible comment)

Robert Kozakiewicz: "That's correct. It should be town of Riverhead, 67-6."

Supervisor Walter: "All right. We didn't second."

Councilwoman Giglio: "Actually it's been very good because a lot of the restaurants (inaudible) catering. The movie companies when they come out they bring their crews and they stay at the Hyatt, they stay at the hotels and eat at the restaurants."

Councilman Gabrielsen: "Well my concern is and I don't know-- they've come out, sometimes they'll spend a few hours at the farmstands and the shops. Do we have to go through a process now?"

Supervisor Walter: "No. I think it's really-- it's involving police-- "



Councilman Dunleavy: "It's basically police, adding highway people that have to be used. I think (inaudible)."

(Some inaudible discussion)

Robert Kozakiewicz: "This would involve or require— and I guess we can do a public hearing for (inaudible), but this would require a permit (inaudible), public land or private land.

So they would come in and apply for a permit in order to put us on notice that they're doing filming. And then if there's a special need for police enforcement or the rental of town property, there would be additional fees involved."

Councilman Dunleavy: "Right. But this permit covers the film fee which when they want to come here, every day they have a fee they have to pay. The clean up— make sure they clean up. They're going to leave a deposit so if they don't clean up and the town has to clean up, then we get paid for that.

Traffic control fee. That's for our police department, any traffic control officers we use. And a beach parking fee in case they use the beach to park their vehicles.

This doesn't— I just don't see anything where it says private, to answer your question. Well, I don't think we can control a private entity. I think it's just municipal. That's what I think it is. It's just municipal to make sure that we get our fees that when they use our stuff."

Robert Kozakiewicz: "This actually— I stand corrected. It says streets, sidewalks, property owned by the town of Riverhead or the CDA."

Councilman Gabrielsen: "That's good."

(Some inaudible discussion)

Councilman Wooten: "I still moved it for a public hearing."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."



The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "Yes. The movie industry, they're using Riverhead town a lot more now and we want to make sure that we get paid for clean up and use of our police department and everything else.

So I vote yes."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #295

Councilman Gabrielsen: "Authorize the town clerk to publish and post public notice to consider a local law to amend Chapter 48 entitled Beaches and Recreation Centers of the Riverhead town code. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #296

Councilwoman Giglio: "Rescinds Resolution #286 adopted on March 20, 2001 regarding administrative fees for Chapter 54 and Chapter 96. So moved."

Councilman Dunleavy: "And seconded."

Supervisor, Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter."

Supervisor Walter: "I'm going to abstain. I wasn't here for the discussions (inaudible)."

Diane Wilhelm: "The resolution is adopted."



Resolution #297

Councilman Dunleavy: "Calverton recreational park project 2012 budget adjustment. So moved."

Councilman Wooten: "Seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #298

Councilman Wooten: "This appoints a call in head lifeguard to the recreation department. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #299

Councilman Gabrielsen: "Authorizes an adoption fair at the Riverhead Animal Shelter on April 28 and 29, 2012. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes."

Councilman Dunleavy: "Yes. We have about 26 dogs up there-- 21, well, that's close. So we're moving.

I vote yes and let's go up there and look at these-- they're fine animals, so come on up there and see if we can get them adopted.

I vote yes."



The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #300

Councilwoman Giglio: "Authorizes the supervisor to execute a license agreement with Aeros Cultured Oyster Company to allow the installation of floating upweller systems (FLUPSY) in East Creek. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Can we have a discussion?"

Is this the group we do it with every year? Yes, okay."

Councilman Dunleavy: "This is why we have clams and oysters in the bay, because of this company."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #301

Councilman Dunleavy: "Authorize the town supervisor to execute change order No. 1 for EPCAL ballfield parking lot improvement project - Phase I. So moved. Do you want to table this?"

Councilman Wooten: "Seconded."

Supervisor Walter: "I want to say ouch."

(Some inaudible discussion)

Councilman Dunleavy: "It's for \$38,000."

Supervisor Walter: "What happened is the elevations that we-- in our bid spec that we shot showing what the parking lots-- where the parking lot is going, what we told them the site conditions were weren't what they were. Had to be-- "



Councilman Dunleavy: "So whoever did our survey-- "

Supervisor Walter: "We did it in house, trying to save some money."

Councilman Gabrielsen: "The good news is we still have some of our developer's money, it won't be taxpayer's money that will pay for this."

Councilman Dunleavy: "Okay."

Supervisor Walter: "That's like the wine at Cana, that developer's money. It doesn't seem to run out."

Councilman Gabrielsen: "We stash some away for things like this."

Supervisor Walter: "Okay. Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

#### Resolution #302

Councilman Wooten: "Bills."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

#### Resolution #302

Councilman Gabrielsen: ". So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."



Supervisor Walter: "All right. At this point we open the town board meeting up for public comments. We ask you to limit your comments to five minutes but that doesn't really hold because we have board members who find your comments so interesting, we like to engage you.

Mr. Biegler."

Eric Biegler: "Eric Biegler, Reeves Park President Sound Park Heights Civic Association.

First off, I'd like to offer my condolences to Sean for the passing of your mother."

Supervisor Walter: "Thank you."

Eric Biegler: "And I probably should have gotten up earlier and talked about Resolution 295 but I didn't do it so please forgive me. This is the recreation center beaches, talking about the permits for the dog park.

I think the dog park is absolutely great, I think it's a wonderful thing. I'm not quite sure why we have to strike the restriction on having no dogs allowed on bathing beaches and why we can't have permits issued for dogs in dog parks and no dogs allowed on public bathing beaches."

Supervisor Walter: "I think it allows for permits on public bathing beaches the way I read it."

Eric Biegler: "It does in the resolution but it doesn't give any reason or criteria given to the town clerk as to how to issue those permits."

Supervisor Walter: "I thought it eased it up a little bit that you could get a permit to walk your dog on the beach. It's-- honestly-- "

Eric Biegler: "It doesn't do anything to issue-- "

Supervisor Walter: "People walk their dogs on the beach all the time."

Eric Biegler: "Absolutely they do."



Supervisor Walter: "(inaudible) that we would prohibit it and I thought this eased it up a little bit."

Eric Biegler: "It, you know, here's the thing. First of all, there's no criteria on how to get a permit to walk your dog on a public bathing beach. That's what we're talking about, those roped areas.

It doesn't put any restrictions on the time frame as to when you can do that. I envision, you know, someone walking Muffy at 12:30 in the afternoon. The beach is crowded, kids are afraid of dogs, dogs have a tendency to get excited and relieve themselves on the beach that you cannot clean up on my beach blanket by the way."

Supervisor Walter: "Did you have this happen to you?"

Eric Biegler: "And so I would like that not to happen and I don't understand why we have to do that in order to issue permits to have dogs in the dog park."

Councilman Dunleavy: "I thought this was only for the dog park. I thought we still restricted dogs on the beaches because of that reason and for them defecation and people do not pick the defecation up and- "

Eric Biegler: "And they make little land mines in the sand."

Supervisor Walter: "The problem is we now call for it and there's going to be a public hearing."

Eric Biegler: "Oh, I understand, but maybe we can look at it before we, you know, because the resolution does two things. One, it strikes the prohibited- it says by issuing of the town clerk but it gives no criteria to the town clerk on how to issue those permits to have a dog on the beach. It only gives them criteria on how to issue the permit to the dog park."

Councilman Wooten: "Well, the permits were created for the dog parks."

Eric Biegler: "Correct."

Councilman Wooten: "I don't think the intent- I'm not sure I would even be in favor of the intent to legislate that dogs are



allowed on the beach."

Eric Biegler: "Well that's great but unfortunately the resolution says that."

Supervisor Walter: "It does the same thing. You know people walk their dogs at Stotzky Park all the time. My kids play little league there, I can always see neighbors with their dogs."

Councilman Wooten: "That's true. I can see the parks, I can see the dog park. The permit for the dog park is strictly so that there's a way the town clerk can monitor they have their rabies shots, they're licensed, you know they're healthy dogs. That's the reason for the permits for the dogs."

Supervisor Walter: "Why don't we just make a (inaudible). Let's be realistic. Nobody is getting a permit to walk their dog on the beach."

Eric Biegler: "But then why does it say that you can get- "

Supervisor Walter: "Why don't we do this? Why don't we use the same- are there criteria in here for the dog park permits?"

Eric Biegler: "But you can't make them simultaneous because if someone gets a dog park permit they may think they also have a permit to go down to the beach."

Supervisor Walter: "Yeah, why wouldn't you?"

Eric Biegler: "Well, because now you're going to take your dog- again, like I said, 12:30 in the afternoon which is not good for the dog in the middle of the summer either, walk the dog down the beach and all of a sudden all heck will break loose on a very crowded weekend when there could be a lot of people- "

Councilman Wooten: "The dog park permit is more like a key. It's almost like a key you use for a hotel room where you would swipe it to get into the electric fence- get in to the electric gate. It's a card that allows you to go into the park."

Eric Biegler: "Right. Perfect."

Councilman Wooten: "That's all the permit is. So maybe we



can just change the verbiage."

Eric Biegler: "Maybe we should leave the verbiage to say the beaches are off limits like they've always been because I don't think there's ever been a ticket issued for anybody- "

Councilman Wooten: "And I agree with you. I don't think- "

Supervisor Walter: "Well, I wouldn't be so sure that we haven't but I'd- "

Eric Biegler: "I'm sure there's been a very few because people know they can't bring their dogs down to the bathing beach. Further- oh, Sunken Meadow you get a ticket for everything."

Councilman Dunleavy: "If someone complains we have to- "

Eric Biegler: "But now you have to enforce it."

Councilman Dunleavy: "We have to enforce it. Yes."

Eric Biegler: "You've got to come down and address Fido being on the beach and now it's an issue and now you've got to bring the police down where as before you just don't let them on the beach."

Further down the beach where it's not a public bathing beach, where it's just a beach, they can go and if it's on private property on the beach we can allow or disallow people from having dogs on the beach with private property."

Councilman Gabrielsen: "I agree with you Eric 100% on that. I don't think the dogs should be at public beaches with kids and I agree with Jim."

Eric Biegler: "Strike it from- it's got nothing to do with the dog park."

Councilman Dunleavy: "I'm already getting complaints where people bring their dogs down to the Iron Pier, take them off the leash and let them run on the beach. It's the middle of winter but people really complain and they don't- so in the summertime you know that they're not going to be on the beach. I cannot vote for anything to let these dogs on the beach in the summertime."



Eric Biegler: "I just want to put this out ahead of time and I know next time we have a public hearing- but also you're opening it up and there's no criteria as to how to get a permit to bring your dog on the beach."

Councilman Dunleavy: "Well I think we can open the public hearing up and after the public hearing we can ask our attorney to make changes."

Eric Biegler: "Leave it the way it is, no dogs allowed on a public beach."

Councilman Dunleavy: "And at the end of the hearing we'll have another hearing."

Eric Biegler: "That's it, I'm done. Thanks guys, appreciate it."

Councilman Dunleavy: "This is what this town does."

Supervisor Walter: "Multiple public hearings on every subject. Wait, let me proclaim that. Dominique Mendez."

Dominique Mendez: "Right. Dominique Mendez, Wading River Riverhead Neighborhood Preservation Coalition."

The first things has to do with Wading River. Sean, I wanted to ask you because you just mentioned- the civic is doing our clean up on Riverhead clean up day but we're meeting and we're going to spread out to some different areas depending on how many people. So I wanted to know specifically where that area you think is bad."

Supervisor Walter: "Wading River Manor Road south of 25A to the town line is a mess."

Dominique Mendez: "South of 25A. We're not doing that whole stretch- have you noticed an area that's particularly bad in there?"

Supervisor Walter: "If you drive down there you'll see it. It's just- "

Dominique Mendez: "Okay, I'll take a look."

Supervisor Walter: "We spoke- I know it's on the list for the



highway superintendent. I had a resident come in and complain. I drive it all the time and I was lamenting several times about how messy- to this highway superintendent. But it is definitely in need of- "

Councilman Dunleavy: "The highway superintendent- "

Dominique Mendez: "We'll drive by and take a look if we have enough people."

Councilman Dunleavy: "-- two people, one truck so they can't be all over. But the other spot is on 25A where there's no buildings in the open space on the north side of 25A and on the south side of 25A east of- "

Supervisor Walter: "We cleaned it once already, we had a press conference and cleaned it."

Councilman Dunleavy: "That's right. But it has to be really cleaned up there because that looks like people just throw garbage out of their vehicles and the wind blows it from the shopping center."

Dominique Mendez: "We'll take that under advisement. I think there are property owners who own that too who might- if you want to do that, but we have done that in the past."

Supervisor Walter: "All right. Wading River Manor Road would be a nice- "

Dominique Mendez: "Okay, we'll take a look at it and if we have enough people we'll put that on the list of places."

And we also think that Hulse Landing actually is pretty bad. Yeah, by the farm by Davis. I think that people there, the tourists and stuff, throw food out or maybe on the way to Wildwood they just throw stuff out the window. So it's kind of bad in that area."

Councilwoman Giglio: "Sal Mastropaolo has 25A covered. I always see him looking at 25A with his garbage bag."

Supervisor Walter: "No, he picks up the bottles."

Councilman Dunleavy: "But you know we have a problem in the



summertime out there because of the state parks. People come in and camp and then they put their garbage in bags and as soon as they hit the highway they stop and dump the bag out and keep going so Wading River does have a problem."

Dominique Mendez: "Yeah, I think that's what- yes. Yeah. Another issue I wanted to talk to you about and, Sean, I want to ask for your support on.

You guys should be kind of aware at this point that the ZBA holds closed door meetings prior to their public hearings every two weeks. They call it a work session. It kind of came to our attention because they recently extend it and formally have it as a half hour period.

So they actually go over there in the planning department and close the door and you see the applicants go in and out. You'll see the board members talk but it's not in public. Those meetings are all supposed to be (inaudible) doing public business. One has to think they're discussing the variances considering that the applicants are coming in and out and talking to them."

Supervisor Walter: "Unless they're in executive session for some reason."

Dominique Mendez: "But then they would come in the meeting- "

Supervisor Walter: "Do they kick you out if you go in there?"

Dominique Mendez: "Well, it's closed door. It doesn't look like we're invited. And they intentionally- I mean they come in here after so it's intentional that they're there because then they come in here and have the public portion."

Supervisor Walter: "All right, I'll talk to them. We- "

Robert Kozakiewicz: "I actually had a conversation with council and he's bringing it to the chairman of the ZBA's attention and they will either discontinue the practice of having those meetings if they're not otherwise protected by executive session or alternatively meet in- they can sit at the table and talk about it in a work session in this room.

He will provide some input once he has a chance to have that



discussion."

Supervisor Walter: "I always thought they were coffee klotching and not realy- "

Dominique Mendez: "No. Yeah, it's doubtful."

Supervisor Walter: "Well, I did direct all of my department heads and I think everybody was here or there was a couple here at the staff meeting on Monday that they are to attend and I hope Denise Civiletti takes her attendance- what day does Bob Freeman come? Monday, the 23<sup>rd</sup>. All my department heads are required to go to the Riverhead library. At 7:00 Riverhead Local has Bob Freeman coming down from New York State, what is his official title- Bob Freeman the executive director of committee on open government is coming. Denise has invited him down. It's seven to eight or eight thirty on Monday and my department heads better be there so we'll take attendance. Oh, I'll probably be there, I think it's on my calendar."

Councilman Dunleavy: "I also think the board should be there because I'm under the impression- we're listening, we're not having any conversation."

Supervisor Walter: "You should have asked us, we would have done it here."

(Some inaudible comment)

Supervisor Walter: "They need more help than us."

Councilman Dunleavy: "But I still think that to have an executive session you have to open up the meeting and then close the meeting and go into executive session."

Dominique Mendez: "They're not executive sessions. They're listed."

Councilman Dunleavy: "The school board doesn't do it. I don't think they do it. I think that's the way it's supposed to be done."

Supervisor Walter: "Well, Bob will take care of that. Because we- "



Robert Kozakiewicz: "I already spoke to- "

Supervisor Walter: "Yeah, it's not an issue. They're doing that, they won't do it."

Dominique Mendez: "Great. This is something that's important to the civics. You know- and Bob DeLuca for the east end- "

Supervisor Walter: "That's how it started out years ago, they would sit around the counter and talk and kabitz. That's really how it started."

Dominique Mendez: "It's listed as a work session on the agenda so it's a formal part of the meeting. It's not a coffee klatch."

Supervisor Walter: "No. But it wasn't-- they didn't have agendas. They sat around and- "

Dominique Mendez: "That might have been years back but it's definitely a meeting."

Supervisor Walter: "Not that far back."

Dominique Mendez: "Thank you very much."

Councilman Dunleavy: "Thank you, Dominique."

Supervisor Walter: "That's what it was, just coffee klatch. Just sit around and talk and there wasn't anything in particular to discuss but probably because (inaudible) meetings."

Tara's got- anybody else want to speak? Mrs. Rothkamp (phonetic) would you like to say anything today? Mrs. Rothkamp is in the house again. I see- it must be- Tuesday must be a bad TV night.

All right."

Councilman Dunleavy: "I make a motion that we close the meeting."

Supervisor Walter: "All right. All in favor."



Collective response: "Aye."

Councilman Dunleavy: "Thank you."

Meeting adjourned: 7:57 p.m.

*Alexis M. Thibault*  
*Town Clerk*